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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,478	03/26/2004	Edward Jaeck	JAEC-10213	9769

7590 09/20/2005

David E. Allred
Schmeiser, Olsen & Watts LLP
18 East University Drive, #101
Mesa, AZ 85201

EXAMINER

GORDON, STEPHEN T

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/810,478	JAECK, EDWARD	
	Examiner	Art Unit	
	Stephen Gordon	3612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-30 is/are pending in the application.
- 4a) Of the above claim(s) 22-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-21 and 27-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3-26-04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's election with traverse of group III and the species of figures 9 and 10B in the reply filed on 8-8-05 is acknowledged. The traversal is on the ground(s) that figures 9 and 10B should be grouped as one embodiment and that the accessories as broken out should not be separated via the election requirement. After review of applicant's comments, the examiner agrees to withdraw the separation of figures 9 and 10B as independent species. Regarding the separation of the various accessories, the examiner remains of the position that such accessories are properly separated for election purposes. Finally it is noted that applicant has canceled claims to the non-elected groups, and no arguments are presented which specifically address the claim group restriction portion of the requirement.

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 22-26 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention. Applicant timely traversed the restriction (election) requirement in the reply filed on 8-8-05.

3. While an examination on the merits for non-elected claim 23 is not included herein, in an effort to expedite prosecution, it is noted claim 23 depends from itself.

4. The disclosure is objected to because of the following informalities: the specification does not include a brief drawing description for figure 10J. Additionally, on page 11 – line 4, "elongated" is misspelled.

Appropriate correction is required.

Art Unit: 3612

5. Claims 20-21, 27, and 29-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 20, "when the insert is in the deployed state" is confusing because in a previous intervening claim such state refers to the insert in a horizontal socket whereas in instant claim 20 such refers to the insert in a non-horizontal socket. Moreover, as recited it is confusing to refer to the same "deployed state" with regard to two differing positions. Claim 21, the recited plurality of horizontal sockets in the last line is confusing as it is not clear if/how such sockets relate to the previously recited horizontal socket in intervening claim 18.

Claim 27, "the plurality of body receivers" lacks antecedent basis.

Claim 29, "the socket", "the insert", and "the deployed state" lack antecedent basis.

Claim 30, "the socket" in line 2 and "the insert" in line 3 lack antecedent basis. Note these terms are additionally utilized throughout the remainder of the claim.

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 15, 17-18, and 30, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Russell.

Note vehicle body horizontal receiver (@18) as broadly claimed and accessory 16.

Claims 17 and 18, see insert 22+ as broadly claimed.

Art Unit: 3612

Claim 30, note holes 52,55 and pin 53.

8. Claims 15 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Curran.

Note vehicle body horizontal receiver (16) as broadly claimed and accessory 20,26+.

Claim 16, note table 20.

9. Claims 15, 19-20, and 27-28, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Vieira et al.

Note vehicle body horizontal receiver (30) as broadly claimed and accessory 42+.

Claims 19 and 27, note additional receivers 19 as broadly claimed and as best understood.

Claim 20, at least element 134 would define a vertical socket capable of receipt as broadly claimed and as best understood.

Claim 28, note accessory 35 as broadly claimed.

10. Claims 15 and 29, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Elonen.

Note vehicle body receiver (3) as broadly claimed and accessory 1.

Claim 29, note figure 3.

11. Claims 15 and 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Gessay.

Note vehicle body horizontal receiver/socket (10) as broadly claimed and accessory 1+ (fig 12).

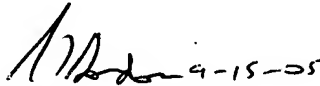
Art Unit: 3612

Claim 20, side fence accepting stake pockets are deemed to define the vertical socket as broadly claimed and as best understood.

Claim 21, elements 10 define a plurality of horizontal receivers as best understood.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gordon whose telephone number is (571) 272-6661. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Stephen Gordon
Primary Examiner
Art Unit 3612

stg